

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

Richard S. Ross,

Debtor,

Gerald S. Lepre, Jr. and Jessica L. Weiss,

Movants,

vs.

Richard S. Ross,

Respondent.

) **Case No.** 18-22598-JAD

)

) **Chapter 7**

) **Related Document No.** 49-46

) **Response Due:** 11/06/18

) **Hearing:** 11/13/18 @ 10:00 a.m.

)

) **Document No.**

RESPONSE TO MOTION FOR EXTENSION OF TIME
COMPLAINT OBJECTING TO DISCHARGE

AND NOW COMES, Richard S. Ross, the Debtor, by and through Donald R. Calaiaro and Calaiaro Valencik, responding to the motion for extension of time complaint objecting to discharge:

1. Admitted.
2. Denied. The first date set for the meeting of creditors was August 13, 2018.

The second meeting of creditors was held on September 18, 2018. Debtor appeared and testified at the meeting. That meeting was continued to October 22, 2018, for the sole purpose of producing a social security card. That social security card has been produced.

3. Denied as stated. This statement is ambiguous as to what "specific information" the Movant is referring to or requesting. Debtor has filed all documents required by the Bankruptcy Court and answered all questions in the schedules and statement of financial affairs. The Debtor is without knowledge of the Movant ever requesting any information in order to file an adversary complaint objecting to discharge.

The Movant has not taken any steps to request information necessary for an adversary proceeding prior to this deadline elapsing and the Movant failed to take such action. Moreover, the Movant filed a motion for relief from stay that sets forth his positions.

4. Denied. Federal Rules of Bankruptcy Procedure 4004(a) states, “a complaint...objecting to the debtor’s discharge shall be filed no later than 60 days after the first date set for the meeting of creditors.” Federal Rules of Bankruptcy Procedure 4004(b) (1) allows for an extension to be granted for cause. The Movant did not plead any factual basis in his motion that would show cause exists to allow an extension to file a complaint objecting to discharge.

This Honorable Court should not give any leniency to the Movant. The Movant abuses the judicial system. The Movant has been indicted for Unauthorized Practice of Law. See Commonwealth v. Lepre, Jr., CP-02-CR-0004502-2016. The Movant has participated in other bankruptcies where he properly followed the Federal Rules of Bankruptcy Procedure. See In re Erica Milton, Case No. 16-20747-CMB, ECF No. 31. Based on the Movant’s previous conduct, it should be assumed that the Movant understands the proper procedural requirements for filing a complaint objecting to discharge. Therefore, this Honorable Court should not grant the Movant any leniency for not showing cause in his motion to extend time.

WHEREFORE, the Debtor respectfully requests this Honorable Court to deny the extension to file the complaint objecting to discharge.

Respectfully Submitted,

DATE: November 6, 2018

BY: /s/ Donald R. Calaiaro
Donald R. Calaiaro, Esquire, PA I.D. #27538
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BY: /s/ David Z. Valencik
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**CERTIFICATE OF SERIVCE of RESPONSE TO MOTION FOR
EXTENSION OF TIME COMPLAINT OBJECTING TO DISCHARGE**

I certify under penalty of perjury that I served the above captioned Response on the parties at the addresses specified below on November 6, 2018.

Service by First-Class Mail:

Gerald S. Lepre, Jr., 1922 Kenneth Avenue, Arnold, PA 15068

Jessica L. Weiss, 1922 Kenneth Avenue, Arnold, PA 15068

Richard S. Ross, 109 Ashley Court, Pittsburgh, PA 15221

Service by Electronic Notification:

Jeffrey J. Sikirica; trusteesikirica@consolidated.net

Office of the United States Trustee; ustpregion03.pi.ecf@usdoj.gov

The type(s) of service made on the parties (first-class mail, electronic notification, hand delivery, or another type of service) was: First-Class Mail or Electronic Notification.

If more than one method of service was employed, this certificate of service groups the parties by the type of service. For example, the names and addresses of parties served by electronic notice will be listed under the heading "Service by Electronic Notification," and those served by mail will be listed under the heading "Service by First-Class Mail."

Executed on: November 6, 2018

/s/ Donald R. Calaiaro

Donald R. Calaiaro, Esquire, PA I.D. #27538

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/s/ David Z. Valencik

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